

REMARKS

Entry of the Amendment after final rejection is respectfully requested. Applicants note that the instant Amendment is made with respect to the amendments submitted December 6, 2010, which amendments have been entered as indicated in the Advisory Action dated December 23, 2010. No new matter has been added. Upon entry of the instant Amendment, claims 1-17 and 20-37 will be cancelled without prejudice or disclaimer of the subject matter recited therein and with the preserving of Applicants' right to submit the cancelled claims in one or more continuation and/or divisional applications; and claims 18-19 will be amended.

Entry of the present Amendment after Final Rejection is appropriate because the Amendment cancels claims and is being made to include language in the claims in conformation with an Examiner's proposed amendment and as discussed during a telephone interview summarized below.

Reconsideration and allowance of the application is respectfully requested.

Statement of Interview

Applicants express appreciation for the courtesies extended by Examiner Bradley during a December 14, 2010 interview with Applicants' representative Walter Schlapkohl, and in a follow-up telephone call on December 17, 2010.

During the interview, the claim language was discussed as well as the rejections of the claims under 35 U.S.C. §§ 102 and 112, first paragraph. The Examiner proposed amendments to claims 18 and 19, as well as the cancellation of claims 1-17 and 20-37, which amendments would place the application into condition for allowance. Applicants' representative indicated that Applicants would consider the Examiner's proposed claim amendments.

In a follow-up telephone call on December 17, 2010, Applicants' representative informed the Examiner that Applicants were still considering the proposed Examiner's amendments. The Examiner indicated that she would be issuing an Advisory Action, but that Applicants were invited to submit a supplemental written response in accordance with the proposed claim

amendments as discussed in the December 14, 2010 interview. Applicants note that claim amendments in accordance with those proposed by the Examiner are submitted herewith.

Claim Rejections – 35 U.S.C. § 112, First Paragraph

The Final Office Action maintains the rejection of claims 18-19 under 35 U.S.C. 112, first paragraph, as allegedly failing to comply with the written description requirement, and extends the rejection to claims 36 and 37. The Advisory Action of December 23, 2010, indicates that Applicants' Amendment of December 6, 2010, while entered, is not found to overcome the written description rejection set forth in the Final Office Action.

In response, and without acquiescing to the propriety of the rejection, Applicants submit that the instant Amendment is responsive to the present rejection. In particular, Applicants submit that the instant Amendment is in accordance with claim language found acceptable in an interview with the Examiner as summarized above. Furthermore, the rejection with respect to claims 36 and 37 is rendered moot by the present amendment insofar as claims 36 and 37 have been cancelled.

Accordingly, Applicants respectfully request reconsideration of the rejection under 35 U.S.C. § 112, first paragraph (written description), and withdrawal of the same.

Claim Rejections – 35 U.S.C. § 102

The Office Action maintains the rejection of claims 18-19 under 35 U.S.C. 102(a) as allegedly anticipated by Karasawa et al. (*Biochem. J.* **381**:307-312, 5 April 2004; hereinafter "Karasawa") and extends the rejection to claims 36 and 37. The Advisory Action of December 23, 2010, indicates that Applicants' Amendment of December 6, 2010, while entered, is not found to overcome the anticipation rejection set forth in the Final Office Action.

In response, and without acquiescing to the propriety of the rejection, Applicants submit that the instant Amendment is responsive to the present rejection. In particular, Applicants submit that the instant Amendment is in accordance with claim language found acceptable in an interview with the Examiner as summarized above. Furthermore, the rejection with respect to

claims 36 and 37 is rendered moot by the present amendment insofar as claims 36 and 37 have been cancelled.

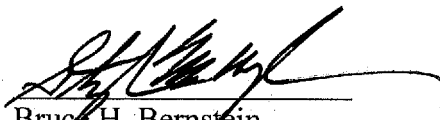
Applicants thus respectfully request reconsideration and withdrawal of the rejection under 35 U.S.C. § 102(a).

CONCLUSION

In view of the foregoing amendments and remarks, Applicants respectfully request withdrawal of the rejections of record and allowance of the claims. If the Examiner has any questions or wishes to discuss this application further, the Examiner is invited to telephone the undersigned at the below-listed telephone number.

The Patent and Trademark Office is hereby authorized to charge Deposit Account No. 19-0089 any fee necessary to ensure consideration of the submitted materials.

Respectfully Submitted,
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